

REMARKS/ARGUMENTS

Reconsideration of the above-identified application is respectfully requested.

This Response is in response to the office action of 5/6/2009. In the instant office action, the Examiner rejected claims 14, 17, and 19-34. In this Response, claims 14, 17, and 19-34 remain in the case. With entry of this response, 18 claims are in the case, with claims 19, 22, and 30 being the three independent claims. As such, Applicants' Attorney respectfully submits that no additional claim fees are required. Applicant appreciates Examiner Shepard discussing this amendment with counsel on September 2, 2009.

On pages 6-22 of the office action, the Examiner has rejected claims 14, 17, and 19-34 based upon various combinations of Washizuka et al., U.S. Pat. 4,701,862 ("Washizuka"), Brandon et al., U.S. Pat. 6,385,568 ("Brandon"), Gibbon et al., U.S. Pat. 6,714,909 ("Gibbon"), Miller, U.S. Pat. 5,801,685 ("Miller"), Weber et al., U.S. Pat. 6,343,212 ("Weber"), Murata, U.S. App. 10/023,410, since issued as U.S. Pat. 6,985,913 ("Murata"), Maehiro et al., U.S. App. 09/821,267, since issued as U.S. Pat. 7,403,971 ("Maehiro"), and Letzt et al., U.S. Pat. 5,612,869 ("Letzt"). The rejections of independent claims 19, 22, and 30 and dependent claims 17, 24, and 34 are discussed.

Claim Rejections – 35 U.S.C. § 103 – "synchronization" and Gibbon:

On page 8 of the instant Office Action, the Examiner asserts that Gibbon teaches the method "for each of said at least one visual display device, separating said text messages into a plurality of lines" and "synchronizing the broadcast of said text messages with said audio messages by calculating a scroll rate for each line for said text messages on said at least one visual display device using the embedded time duration of each corresponding audio message component" of claim 19. On page 2 of the instant office action, the Examiner points out that Gibbon teaches the use of closed captioning, and that "if the text is closed captioning, that time alignment would need to be done." The Examiner also refers to Figure 12, part b, and notes that "timing alignment is associated with the text." On pages 13 and 14, the Examiner rejects related provisions of independent claims 22 and 30 using similar reasoning.

Applicant respectfully submits that Gibbon does not disclose the aforementioned provisions of claims 19, 22, and 30. In claim 19, the present invention claims calculating a scroll rate for each line of the text message “using the embedded time duration of each corresponding audio message component.” Claim 22(g) recites “for each line of said plurality of lines, for the audio take files corresponding to the visual text files on that line, summing the embedded time queue for that line and determining a scroll rate for that line.” Claim 30(h) recites “for each line of said plurality of lines, for the audio take files corresponding to the visual text files on that line, summing the embedded time queue for that line and determining a scroll rate for that line.” In the present invention, each audio message component / audio take file has an embedded time duration / time queue. In other words, a short word, such as, for example “flight,” may have an embedded duration of about half a second, while a long word, such as, for example “Albuquerque,” may have an embedded duration of about two seconds. The present invention claims summing these time durations or time queues to calculate a scroll rate for *each* line of the text message. The calculation of individual scroll rates for each line results in the entire text message having a variable scroll rate, i.e., some lines scroll faster, others scroll slower. Applicant herein proposes amending claims 19, 22, and 30 to distinctly claim the variable scroll rate of text messages. Support for these statements and amendments may be found in paragraph [0044] and elsewhere in the specification. Applicant respectfully submits that Gibbon, either alone or in combination with the other cited references, does not disclose calculating a scroll rate for each line of the text message such that the text message scrolls at a variable rate.

Applicant further submits that Gibbon does not disclose the activities of the aforementioned provisions taking place at the visual display or visual display device. In claim 19, the present invention claims “at least one visual display device.” In claims 22 and 30, the instant application claims visual displays each having a microprocessor. The claim provisions in question each specify that the steps of separating the text messages into a plurality of lines and synchronizing the broadcast of the text messages and audio messages occurs at the visual display or visual display device. On page 4 of the instant Office Action, the Examiner states that Gibbon teaches “that there could be multiple users using multiple terminals” and that this teaching

discloses the plurality of visual displays recited in claim 30 (see Gibbon Column: 4 Lines 8-15). Following the Examiner's rationale, Gibbon's terminals are equivalent to the visual displays and visual display devices of the present invention. Gibbon provides no details regarding "time alignment" other than its single sentence, and certainly does not specify that such alignment should take place at the terminal. In fact, Gibbon recites "[t]he stores multimedia data may be retrieved and provided to a user's terminal through a search engine upon a user's request [] [t]he process goes to step 5100 and ends" (Gibbon Column: 13 Lines: 29-32). Step 5100 is not related to separating text messages into a plurality of lines, synchronizing the broadcast of the text messages and audio messages, or any type of time alignment. Step 5100 is simply the end of Gibbon's process. Consequently, any time alignment that occurs in Gibbon's process must occur before content reaches the terminal (i.e., visual display or visual display device), as the process ends immediately afterwards. Gibbon is unable to disclose the steps of separating the text messages into a plurality of lines and synchronizing the broadcast of the text messages and audio messages occurring at the visual display or visual display device, as claimed in the present invention.

Applicant's Attorney respectfully submits that claims 19, 22, and 30, as amended, are not obviated by Gibbon, either alone or in combination with the other cited references. The remaining claims in the application are dependent upon these three independent claims. Applicant respectfully submits that independent claims 19, 22, and 30 are allowable and requests that the Examiner withdraw the § 103 rejections to all claims in the instant application.

Claim Rejection – 35 U.S.C. § 103 – "broadcast zones" and Weber

On pages 18-19 of the instant Office Action, the Examiner asserts that claims 17 and 24 and are obviated in part by Weber. On page 20, the Examiner asserts that claim 34 is rejected on the same grounds as claim 24. Applicant has traversed the rejection of claims 19, 22, and 30, the independent claims upon which claims 17, 24, and 34 are based. Notwithstanding this traverse, Applicant wishes to specifically address the rejection of claims 17, 24, and 34.

Dependent claims 17, 24, and 34 include the limitation of "broadcast zones." More specifically, claim 17 includes the limitation:

wherein said step of broadcasting said audio and text messages over said at least one audio reproduction device and said at least one visual display device further includes selecting a predetermined broadcast zone to which said audio and text messages are broadcast

Claim 24 includes the limitation:

where each of said plurality of visual displays and the audio reproduction devices associated therewith are included in one or more broadcast zones and, in step h, the transmitting by said central computer is to a selected set of said at least one audio reproduction devices and the transmitting to said visual display computer the command directs those visual displays to display the text portion which are associated with those audio reproduction devices in the set receiving the audio portion results in the specific message to be broadcast and displayed being broadcast and displayed in one or more of said broadcast zones

Claim 34 includes the limitation:

where each of said plurality of visual displays and the audio reproduction devices associated therewith are included in one or more broadcast zones and the specific message to be broadcast and displayed is broadcast and displayed in one or more of said broadcast zones

Applicant respectfully traverses this rejection of claims 17, 24, and 34.

Applicant's Attorney previously argued that Weber teaches preventing messages from being transmitted to and from a predetermined area, and that this teaching does not obviate the aforementioned provisions of claims 17, 24, and 34. On page 5 of the instant Office Action, the Examiner asserted that the concepts are analogous, in that "if you have 3 areas A B and C, and I target a message at area B, one could view that as restricting the messages from being sent to areas A and C." Applicant submits that these teachings are not analogous.

Weber teaches protecting a predetermined area from disturbing uses of mobile terminals (Weber Column: 2 Lines: 46-66). Claims 17 and 24 of the present invention claim broadcasting audio and text messages to predetermined broadcast zones. Targeting messages to specific

broadcast zones is not analogous to preventing messages from reaching areas other than the specific broadcast zones. This limitation of the present invention relates directing messages to specific zones and devices. In contrast, Weber teaches system information messages in a broadcast control channel that are used for the transmission of mode change information to protect a predetermined area (Weber Column: 2 Lines: 46-63). In other words, Weber teaches a system by which mobile phones are automatically shut off in a given area (Weber Column: 2 Lines: 64-66). Weber has no teaching regarding the directionality of messages, and only teaches that the intended recipient of the message is unable to receive it. The present invention never blocks messages intended for a given area, instead the messages are simply not directed to that area in the first place. If Weber was applied to the present invention, it would not teach targeting a messages to a specific broadcast zone, but instead would teach automatically shutting off visual displays and audio reproduction devices to prevent them from receiving messages.

There is no teaching, suggestion, or motivation to apply the teaching of Weber to the present invention. If the present invention is used in an embodiment with a large number of broadcast zones, such as, for example a large airport with 100 gates, it would be exceedingly inefficient and cumbersome to use Weber's method and actively restrict the message from reaching 99 different gates so that it only reaches the one intended gate. Furthermore, different messages in the present invention may be intended for different broadcast zones. For example, the first message of the morning may be directed to gate 34, then second message to gates 61-69, and the third message to the entire airport. Weber does not teach this type of variable message directionality, as recited in claim 24 where "specific message to be broadcast and displayed being broadcast and displayed in one or more of said broadcast zones." The invention in Weber simply shuts off mobile terminals within a given area, and is not capable of selective allowing some messages to be received within the area. Weber is not equivalent to, nor does it obviate, the audio and text messages that are broadcast to a predetermined zone from the present invention. Applicant therefore respectfully submits that the cited prior art, including Weber, do not disclose all the limitations of claims 17, 24, and 34 and requests that the Examiner withdraw the rejections to claims 17, 24, and 34.

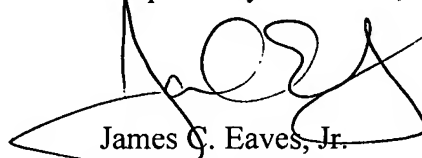
Appl. No. 10/066,420
Response dated September 2, 2009
Response to Office Action of 5/6/2009

Petition for an Extension of Time

This paper includes a PTO Form SB/22, Petition for Extension of Time. The instant office action was mailed on 5/6/2009 and this Amendment is being mailed with a certification of mailing on 9/2/2009, within four months of the office action mailing date. As such, the enclosed petition requests an extension of one month and authorizes the Director to charge the fee therefore to a listed deposit account.

Conclusion: Applicants' Attorney respectfully submits that, with entry of this Response, claims 14, 17, and 19-34 are allowable. As such, it is respectfully requested that the Examiner issue a notice of allowance. However, please call Applicants' undersigned Attorney at (502) 587-3724 should the Examiner have any questions or unresolved issues with this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James C. Eaves, Jr.', is written over a horizontal line.

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